

1 Michael J. McQuaid, Esq.
(Bar No. 95871)
2 W. George Wailes, Esq.
(Bar No. 100435)
3 CARR, MCCLELLAN, INGERSOLL,
THOMPSON & HORN
4 Professional Law Corporation
216 Park Road
5 P.O. Box 513
Burlingame, CA 94011-0513
6 Telephone: (650) 342-9600
Facsimile: (650) 342-7685
7 gwailes@carr-mcclellan.com

8 Attorneys for Judgment Creditor
JANINA M. HOSKINS, TRUSTEE

9
10 UNITED STATES BANKRUPTCY COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 In re:
14 SAND HILL CAPITAL PARTNERS III,
LLC, a California limited liability company,
15 Debtor.

Chapter 7
No. 08-30989 HLB

16
17 JANINA M. HOSKINS, Trustee of the
Bankruptcy Estate of Sand Hill Capital
18 Partners III, LLC, a California limited
liability company, Debtor,
19 Plaintiff,

Adv. Pro. No. 09-03109 HLB
TRUSTEE'S EX PARTE APPLICATION
FOR ORDER OF EXAMINATION AND
WRITTEN DISCOVERY UNDER FEDERAL
RULE OF CIVIL PROCEDURE 69

20 vs.
21 GARY THORNHILL, an individual,
22 Defendant.

23
24 Janina M. Hoskins, Trustee of the bankruptcy estate of Sand Hill Capital Partners III,
25 LLC ("Trustee") applies ex parte for an Order of Examination of Judgment Debtor ("OEX")
26 Gary Thornhill ("Thornhill") and written discovery under Federal Rule of Bankruptcy Procedure
27 7069, Federal Rule of Civil Procedure 69 and California Code of Civil Procedure Section
28 708.110. In order to adequately investigate the assets and financial affairs of Thornhill, it is

26630-06133\iManage\4476228.1

Trustee's Ex Parte Application for Order of
Examination

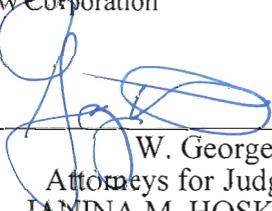
1 necessary for Trustee to obtain documents from him, obtain his responses to written discovery
2 and to examine him after Trustee has had an opportunity to review his responses.

3 The Trustee prays for an OEX directing Thornhill to (1) provide the documents listed in
4 **Exhibit 2** to the accompanying filed Declaration of W. George Wailes in Support of Application
5 for Order of Examination of Judgment Debtor ("Wailes OEX Decl.") to Trustee's attorneys,
6 Carr, McClellan, Ingersoll, Thompson & Horn Professional Law Corporation at 216 Park Road,
7 Burlingame, California, 35 days after service of the Court's Order; and (2) appear in Court at
8 9:30 a.m. on June 20, 2013 (or any other date selected by the Court that is after June 20) and
9 testify at his debtor's examination.

10 Dated: April 4, 2013

11 CARR, McCLELLAN, INGERSOLL, THOMPSON & HORN
12 Professional Law Corporation

13 By: _____

14 
W. George Wailes
15 Attorneys for Judgment Creditor
JANINA M. HOSKINS, TRUSTEE

28

26630-06133\iManage\4476228.1

27 Trustee's Ex Parte Application for Order of
28 Examination